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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,524	02/20/2004	Thomas Kuchnel	MS1-1943US	7488
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LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201				
EXAMINER				
MOORTHY, ARAVIND K				
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/783,524

Applicant(s)

KUEHNEL ET AL.

Examiner

Aravind K. Moorthy

Art Unit

2131

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-8, 10-17 and 19-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-8, 10-17 and 19-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This is in response to the amendment filed on 2 January 2008.
2. Claims 6-8, 10-17 and 25 are pending in the application.
3. Claims 6-8, 10-17 and 25 have been rejected.
4. Claims 1-5, 9 and 18 have been cancelled.

Response to Amendment

5. The examiner approves of the amendment made to the abstract. The applicant has corrected the misspelling. The examiner withdraws the objection to the specification.
6. The examiner approves of the amendment made to claim 25. There are no longer any issues with antecedent basis. The examiner withdraws the rejection under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Response to Arguments

7. Applicant's arguments with respect to claims 6-8, 10-17 and 25 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

8. Claim 10 is objected to because of the following informalities: improper dependency. Claim 10 depends upon claim 9. Claim 9 is a cancelled claim. The dependency needs to be changed. For the sake of examination, the examiner assumes that claim 10 depends upon claim 6. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(c) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 6-8, 10-14, 17 and 19-23 rejected under 35 U.S.C. 102(e) as being anticipated by Jonker et al US 2006/0020784 A1.

As to claim 6, Jonker et al discloses a method of adding a device to a UPnP network, comprising:

retrieving, at a control point (i.e. Right Manager) in the UPnP network [0076], a device description associated with the UPnP device [0077-0079];

invoking, at the control point, a first authentication process to authenticate the device with the control point [0110-0113];

retrieving, at the control point, a service description associated with the device [0076]; and

retrieving, at the control point, a presentation page associated with the device [0060-0064].

As to claim 7, Jonker et al discloses that upon connection to the UPnP network the
device

multicasts information about itself to a predetermined address [0115-0118].

As to claim 8, Jonker et al discloses that the control point uses the information
multicast by the device to retrieve the device description [0123-0128].

As to claims 9 and 18, Jonker et al discloses that the first authentication process
comprises:

receiving a certificate from the device [0052]; and
authenticating the device using the certificate [0052].

As to claims 10 and 19, Jonker et al discloses that the first authentication process further
comprises:

sending a certificate from the control point to the device [0105-0108]; and
using the certificate at the device to authenticate the control point with the
device [0105-0108].

As to claims 11 and 20, Jonker et al discloses that the certificate includes a public
key associated with the device [0124].

As to claims 12 and 21, Jonker et al discloses that the certificate is issued by a
certificate authority and includes a public key associated with the certificate authority [0109].

As to claims 13 and 22, Jonker et al discloses that sending the certificate from the
control point to the device comprises:

loading the certificate onto a memory module [0144]; and
transferring the certificate from the control point to the device on
the memory module [0144].

15. The method of claim 14, wherein the second authentication process

As to claims 14 and 23, Jonker et al discloses that the device invokes a second authentication process to authenticate the control point with the device [0134].

As to claims 16 and 25, The method of claim 15, wherein the PIN/password comprises:

a credential [0184]; and

a hash of a certificate sent from the device to the control point [0184].

As to claim 17, A method of adding a control point to a UPnP network, comprising:

transmitting a search request multicast from the control point to a predetermined network address [0049];

receiving a response to the multicast from at least one device in the UPnP network, wherein the response includes an indicator requesting a secure communication between the device and the control point [0134];

invoking, at the control point, a first authentication process to authenticate the device with the control point [0110-0113];

retrieving, at the control point, a device description associated with the UPnP device [0076];

retrieving, at the control point, a service description associated with the device [0076]; and

retrieving, at the control point, a presentation page associated with the device [0060-0064].

Claim Rejections - 35 USC § 103

15. The method of claim 14, wherein the second authentication process
The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 15, 16, 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jonker et al US 2006/0020784 A1 as applied to claims 6 and 17 above, and further in view of Ito U.S. Patent No. 7,069,587 B2.

As to claims 15 and 24, Jonker et al does not teach that the second authentication process comprises transmitting a PIN/password from the control point to the device.

Ito teaches an authentication process that includes a control point transmitting a PIN to a device [column 5, lines 66 to column 6 line 16]. Ito teaches that the device is authenticated with the given PIN [column 5, lines 66 to column 6 line 16].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Jonker et al so that the second authentication process would have included the control point transmitting a PIN to the device. The device would have been later authenticated with the PIN.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Jonker et al by the teaching of Ito because it prevents any illicit access from unknown devices to a control point [column 2, lines 34-37].

As to claims 16 and 25, Jonker et al teaches that the PIN/password comprises:

a credential [0184]; and

a hash of a certificate sent from the device to the control point [0184].

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aravind K. Moorthy whose telephone number is 571-272-3793. The examiner can normally be reached on Monday-Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Aravind K Moorthy/
Examiner, Art Unit 2131
/Ayaz R. Sheikh/
Supervisory Patent Examiner, Art Unit 2131